

RESTRICTIVE COVENANTS
FOR
STONEGATE PATIO HOMES

- No lot shall be used for any purpose other than single family residential purpose. No building shall be erected, placed or permitted to remain on any lot other than one building, a private garage for not more than two vehicles and separate detached buildings incidental to residential use. No single lot may be subdivided into two or more lots for the purpose of building another dwelling.
- All dwellings or other structures on the lots must be in compliance with the requirements of the City of Southaven.
- No structure of a temporary nature such as trailers, basements, tents, sheds, garage, barn, motor home, or other out-buildings shall at any time be used, either temporarily or permanently, as a residence.
- No noxious or offensive trade or activity may be carried on upon any lot nor shall anything be done thereon which may be or become a nuisance or annoyance to the neighborhood. No business or trade of a commercial nature may be carried on upon any lot. All lots and townhomes are to be residential use only.
- Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown by the plats.
- No shell-type or modular-type home will be permitted or erected in this subdivision. All houses must be new construction. No home may be moved into the subdivision from another area except by the written permission of the developer, Joe Bryan, or his designated representative.
- No building shall be permitted on any lot where the heated area of the main structure, exclusive of open porches and garages, is less than 1300 square feet for one-story dwelling. For one and one-half and two story dwelling, the minimum ground floor heated area must contain 750 square feet, total area under roof must be 1300 square feet.
- No signs of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or customary signs used by a builder to advertise the property during the construction and sale.
- No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any of said lots, except that dog, cat, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose. In all instances, household pets shall be restrained within fenced areas or under leash.
- Trash, garage and other waste or rubbish shall be kept in sanitary containers, provided specifically for these purposes. All equipment for the storage or disposal of such materials shall be approved by the City and shall be kept in a clean, sanitary and orderly condition.
- No junk vehicle, commercial vehicle, trailer, truck, camper, boat, or other machinery shall be kept on any site unless properly stored in a storage room or garage.
- Construction of any dwelling shall be completed within eight (8) months from commencement of construction.
- All fences shall be uniform and shall conform to the design and material standards established by the developer. No wire fences of any nature shall be installed within this subdivision.
- No building shall be erected on any lot in the subdivision until the building plans, specifications and plot plan, showing the location of such building, have been approved in writing as to conformity and harmony with existing structures in the subdivision and as to the location of the building with respect to topography and finished ground elevation by Bryan & Bryan, or by duly appointed representative of said corporation. Approved plans will be so noted on their face. One set will be returned to the applicant and one set will be retained. In the event that said corporation or his representatives fail to approve or disapprove such design and location within a period of thirty (30) days after said plans and specifications have been submitted to them, or if no litigation to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required, and this covenant shall be deemed fully complied with.
- These covenants, limitations, and restrictions are to run with the land and shall be binding upon all parties and all persons claiming under them until June 30, 2010, at which time said covenants, limitations, and restrictions shall automatically extend for such successive ten-year periods unless by vote of the majority of the then owners of lots in this subdivision, it is agreed to change said covenants in whole or in part.

- These covenants, restrictions, and limitations, or any of them, may be amended only by the Developer, Joe Bryan or by the owners, as the case may be of at least 75% of the lots in the subdivision, including any additions thereto.
- Every lot owner shall have a right and easement of enjoyment to the common property.
- In addition to these restrictive covenants, Stonegate Patio Homes shall also be subject to the Declaration of Covenants, Conditions, and Restrictions which are recorded in Power of Attorney contract Book , Page , of the Chancery Clerk's Office of DeSoto County, Mississippi.
- Utility building shall be allowed but must conform to the main structure as to type of material style and color. The maximum size and location of the utility building may be limited by the developer, Joe Bryan or his designated representative.

LEGAL DESCRIPTION

Beginning at the accepted southwest corner of Section 29, Township 1 South, Range 7 West, said point being the present centerline intersection of Swinnea Road and Goodman Road; thence North 00 degrees 03 minutes 15 seconds East 985.72 feet along the centerline of Swinnea Road to a point; thence South 89 degrees 34 minutes 19 seconds East 53.00 feet to an iron stake (found) in the easterly line of Swinnea Road, said stake being also the true Point of Beginning for the herein described tract; thence North 00 degrees 28 minutes 34 seconds West 204.66 feet with the easterly line of Swinnea Road to a point of curve having an external radius of 25.00 feet; thence along said curve in a southeasterly direction 38.96 feet to a point; thence South 89 degrees 34 minutes 18 seconds East 182.77 feet to a point of curve to the left with an external radius of 538.73 feet; thence along said curve 151.89 feet to a point; thence North 74 degrees 16 minutes 29 seconds East 103.13 feet to a point of curve having an internal radius of 569.88; thence along said curve to the right 166.15 feet to a point; thence South 89 degrees 01 minutes 15 seconds East 738.00 feet to a point; thence South 00 degrees 58 minutes 45 seconds West 550.00 feet to a point; thence North 89 degrees 01 minutes 15 seconds West 1043.28 feet to an iron stake in the easterly line of the Mississippi Power and Light Company tract; thence North 01 degrees 59 minutes 51 seconds East 294.71 feet along the easterly line of said tract to an iron stake (found); thence North 89 degrees 34 minutes 19 seconds West 315.06 feet along the northerly line of said tract to the point of beginning containing 14.2802, more or less, acres of land.

DATE: APRIL 12, 1989

Restrictive Covenants
Assignment of this instrument Recorded in
Book 268 Page 466
This 30th day of March 1994
W. E. Davis Clerk
By P. R. Stacker, S.C.

Restrictive Covenants
Assignment of this instrument Recorded in
Book 356 Page 29
This 21st day of July 1999
W. E. Davis Clerk
By M. C. Calhoun, S.C.

Amendment of Covenants
Recorded in ut 582 pg 360
By the 15th day of April 2008
W. E. Davis Chancery Clerk
By S. C. Calhoun, S.C.
Declaration of Covenants, Conditions, and
Restrictions Relating to Stonegate Patio Homes
Assignment of this instrument Recorded in
Book of Attorney + Contract Book
No. 59 Page 177
This the 24th day of Oct. 1989
W. E. Davis Clerk
Minutes of meeting of Stonegate Patio Homes
Name change - Stonegate Patio Homes
Assignment of this instrument Recorded in
Book
No. 217 Page 61
This the 29th day of Sept. 1989
W. E. Davis Clerk

SECTION "A" LOTS 133-203
STONEHEDGE PLACE PATIO HOMES
SECTION 29, TOWNSHIP 1 S., RANGE 7 W.
SOUTHAVEN, MISSISSIPPI
14.28 ACRES, 71 LOTS, ZONED PUD

OWNER JOE BRYAN

PREPARED BY SMITH ENGINEERING CO., INC.
928 GOODMAN ROAD
SOUTHAVEN, MISS. 38671

DATE: APRIL 1989

SHEET 1 OF

OWNER'S CERTIFICATE

I, Joe H. Bryan, OWNER OR AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE PROPERTY, HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE DUE AND PAYABLE. THIS THE 26th DAY OF June, 1989.

SIGNATURE OF OWNER OR REPRESENTATIVE

NOTARY'S CERTIFICATE

STATE OF MISSISSIPPI, COUNTY OF DESOTO

THIS DAY PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, Joe H. Bryan, WHO ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE FOREGOING PLAT FOR THE PURPOSE THEREIN MENTIONED. GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE 26th DAY OF June, 1989.

MY COMMISSION EXPIRES: May 23, 1992

Danna J. Jenkins
NOTARY PUBLIC

APPROVED BY THE SOUTHAVEN PLANNING COMMISSION THIS THE 24th DAY OF April, 1989.

ATTEST:
John D. Sanders
CHAIRMAN OF PLANNING COMMISSION
E. Daniel Phumler
SECRETARY OF PLANNING COMMISSION

APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THIS THE 16th DAY OF May, 1989.

ATTEST:
J. B. Bates
MAYOR OF SOUTHAVEN
Marlene Sprinkle
CITY CLERK OF SOUTHAVEN

STATE OF MISSISSIPPI

COUNTY OF DESOTO

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT HEREON WAS FILED FOR RECORD IN MY OFFICE AT 11:30 O' CLOCK A.M., ON THE 31st DAY OF April 1989, AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEXES AND DULY RECORDED IN PLAT BOOK 34 AT PAGE 17-B.

W. E. Davis Chancery Clerk
By S. C. Calhoun, S.C.

CERTIFICATE OF ENGINEER

THIS IS TO CERTIFY THAT I HAVE DRAWN AND REVISION SHOWN HEREON AND THE PLAT OF SAME IS ACCURATELY DRAWN FROM INFORMATION FROM A GROUND SURVEY BY ME.

W. E. Davis
ENGINEER
AND
SURVEYOR
No. 5930
STATE OF MISSISSIPPI

APPROVED: Ronald E. Smith
CITY ENGINEER

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SOUTHAVEN, MISS. 38671

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SHEET 1 OF 2

